

**GOVERNMENT OF INDIA  
HOME AFFAIRS  
LOK SABHA**

UNSTARRED QUESTION NO:886

ANSWERED ON:28.11.2006

SETTING UP OF NHRC IN STATES

Pallani Shamy Shri K.C .;Pathak Shri Brajesh;Sarvey Shri Sathyanarayana

**Will the Minister of HOME AFFAIRS be pleased to state:**

- (a) The names of the States who have and who have not constituted National Human Rights Commissions (NHRC) as on date, separately;
- (b) Whether the Supreme Court has expressed its unhappiness over non-seriousness of the State Governments in the cases of violation of NHRC; and
- (c) If so, the measures taken by the Union Government to constitute NHRC in all States?

**Answer**

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI SRIPRAKASH JAISWAL)

(a) : As per information available as on date, the following 18 States have set up State Human Rights Commission:-

Assam, Andhra Pradesh, Chhattisgarh, Himachal Pradesh, Jammu & Kashmir, Kerala, Madhya Pradesh, Maharashtra, Manipur, Orissa, Punjab, Rajasthan, Tamil Nadu, Uttar Pradesh, West Bengal, Karnataka, Bihar and Gujarat.

The following 10 States do not have Human Rights Commission:-

Arunachal Pradesh, Goa, Haryana, Jharkhand, Meghalaya, Mizoram, Nagaland, Sikkim, Tripura and Uttaranchal.

(b):Assuming that the Question refers to violation of human rights and not violation of NHRC, the following is the reply:-

To ensure compliance of `11 requirements` against custodial violence as spelt out by Hon`ble Supreme Court in D.K. Basu`s and others Vs. State of West Bengal and Others, the Hon`ble Supreme Court has directed the State Human Rights Commissions to constitute a sub committee in their respective Commissions with a view to oversee whether the 11 requirements as spelt out in D.K. Basu`s case are being carried out or not and to take all such further necessary steps as are required to ensure that those requirements are carried out. It shall be open to such sub- committee to make surprise checks with a view to see actual implementation of those requirements. The Hon`ble Supreme Court has further directed that the report of the action taken by the Committees constituted by the State Human Rights Commissions, as per the order above, is to be sent to them directly.

(c):The Government has been pursuing with the concerned State Governments from time to time, to set up SHRC.